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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,727	12/05/2003	Mark E. Herrmann	R0586-701110	1722
37462 7590 01/03/2008 LOWRIE, LANDO & ANASTASI, LLP ONE MAIN STREET, SUITE 1100 CAMBRIDGE, MA 02142			EXAMINER LEE, BENJAMIN WILLIAM	
			ART UNIT 3714	PAPER NUMBER
			NOTIFICATION DATE 01/03/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Interview Summary	Application No. 10/728,727	Applicant(s) HERRMANN ET AL.	
	Examiner Benjamin W. Lee	Art Unit 3714	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Benjamin W. Lee (Examiner). (3) Matthew H. Grady (Attorney).
 (2) Xuan Thai (SPE). (4) _____.

Date of Interview: 17 December 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____.

Claim(s) discussed: 1, 12 and 25.

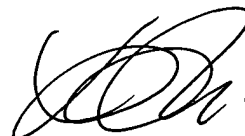
Identification of prior art discussed: Metke, Itkis, and Langan.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



XUAN M. THAI
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The rejection of claims 12-24 under 35 U.S.C. 101 were discussed. In particular, the attorney proposed additional claim limitations to add a physical computer system with a display means. The examiner also suggested removing the word "method" from the claims to make it clearer that the claim falls under only one statutory class of invention. Further, the examiner suggested that "computer-readable signals" be removed from claim 25. The prior art rejections using Metke, Itkis, and Langan were also discussed. The attorney proposed adding the limitation of "wagering game" to independent claim 1 to overcome rejection under 35 U.S.C. 102 using Metke. The examiner indicated that the additional limitation would likely overcome the Metke reference under 102. The examiner also suggested that the "wagering" limitation be added to claim 1 as a positive method step. The attorney also presented an argument as to why the combination of Metke and Itkis under 35 U.S.C. 103 is improper. The attorney argues that the combination of Metke and Itkis is improper because Metke is directed towards an amusement game and Itkis is directed towards a free-play only game which is free-play in order to overcome gaming laws. The examiners indicated that further consideration of the applicant's arguments in specific view of the claims would be necessary.